

REMARKS CONCERNING THE AMENDMENTS

Antecedent basis for the amendments to claims 1 and 16 regarding the individual card removal slot or the sloped wall covering cards in the delivery tray can be found generally in the specification and Figures, for example, at page 20 lines 6-23 and Figure 3, element 266.

SUMMARY OF THE OFFICE ACTION AND REJECTIONS

THE PREVIOUS REJECTIONS OF Claims 9-27, All of the Claims in the Application, Have Been Rejected under 35 U.S.C. 102(b) As Anticipated by McCrea, Jr. (U.S. Patent No. (unspecified) Either 6,093,103 or 6,117,012 and the Allowance of Claims 1-8 have been withdrawn.

Claims 1-7 have been rejected under 35 USC 102(b) as anticipated by Purton (PCT Application WO 0051076, corresponding to U.S. Patent No. 6,629,894).

Claim 8 has been rejected under 35 USC 103(a) as unpatentable over Purton.

RESPONSE TO THE REJECTION

Claims 1-7 have been rejected under 35 USC 102(b) as anticipated by Purton (PCT Application WO 0051076, corresponding to U.S. Patent No. 6,629,894).

CLAIM 1	PUTRON (US PATENT)	COMMENTS
1. A playing card delivery shoe from which cards may be dealt comprising	A device and methods for inspecting, counting and reporting on the status of playing card decks. It is also an object of the invention to provide a device which rapidly and conveniently produces a visual indication if a deck or group of decks is not integral.	The cards cannot be directly dealt from the Purton device as the cards can be rationally removed by hand in clumps or entirety, not one card at a time.
a) an area for receiving a first set of cards;	a loading area adapted to receive one or more decks of playing cards	
b) first card mover that moves cards from the first set to a card staging area wherein at least one card is staged in an order by which cards are removed from the first set of cards and moved to the card staging area;	the loading area having an exit through which cards are urged, one at a time, by the feed roller; a transport path extending from the loading area exit to a card accumulation area; (Column 1, lines 35-49)	The card accumulation area is the final repository for the cards. There is no staging area unless the position between rollers 16 and 17 are so considered.
c) second card mover that moves cards from the card staging area to a delivery area wherein cards removed from the staging area to the delivery area are moved in the same order by which cards were removed from the first set of cards and moved to the card staging area; and	Rollers 16 and 17 move cards one-at-a-time from their imaged position into the card accumulation area.	There is no true second card mover. Rollers 15, 16 and 17 of Purton all act within a set of movements to remove cards from the input tray and do not move cards to a card staging area.
d) card reading sensors that read at least one element of information of card rank, card suit or card value of each card separately after each card has been removed from the area for receiving the first set of cards and before removal from the card delivery area,	Purton shows a card reader or two card readers between the card receiving area and the card delivery area.	

<u>wherein the card delivery area includes a slot enabling removal of individual cards.</u>	Purton has a flat surface that receives cards so that the entire set of cards can be removed. There is no slot for removal of individual cards.	As Purton does not deliver cards one-at-a-time out of the card verification device, there is no reason for adding a sloped forward wall (Claim 28) or a slot through which cards can be removed one-at-a-time. That form of removal is inconsistent with a deck verification system.
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In addition to the original structural features and function in the claims, it can be readily seen that the function and therefore the structure of the Purton device and system are different from the additional structure that is recited in the present claims regarding the sloped cover (Claims 28 and 29) or the slot through which the individual cards are removed, one-at-a-time. The Purton device is intended to verify decks or sets of playing cards. This is done in a batch fashion, with a set of cards inserted in one end and the entire set of cards removed from the other end after verification. Both the card input and card removal areas are vertical chambers. Not only does Purton fail to show this slotted structure, but also such a structure would be a disadvantageous and not obvious addition to the Purton device. With the deck verification, system of Purton, the cards are most facilely removed as a block. To add a slotted delivery area where cards are removed one-at-a-time would be to reduce the speed advantage of the verification process by making card removal tedious. It is not obvious to modify the structure of the verification system (designed for speed of deck verification) in such a manner that its overall speed of use is dramatically reduced.

Claim 8 has been rejected under 35 USC 103(a) as unpatentable over Purton. This claim will depend for patentability upon the limitations in the claims from which it depends. Again, the Purton device is intended to verify decks or sets of playing cards. This is done in a batch fashion, with a set of cards inserted in one end and the entire set of cards removed from the other end after verification. Both the card input and card removal areas are vertical chambers. Not only does Purton fail to show this slotted structure, but also such a structure would be a disadvantageous and not obvious addition to the Purton device. With the deck verification system of Purton, the cards are most

facilely removed as a block. To add a slotted delivery area where cards are removed one-at-a-time would be to reduce the speed advantage of the verification process by making card removal tedious. It is not obvious to modify the structure of the verification system (designed for speed of deck verification) in such a manner that its overall speed of use is dramatically reduced.

CONCLUSION

The rejections have been shown to be in error. All remaining claims in this Application are believed to be in condition for allowance. If the Examiner believes that a discussion of any remaining issues could advance this Application towards allowance, he is courteously invited to call the attorney of record at 952.832.9090 to discuss any such remaining issues.

Respectfully submitted,

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I hereby certify that this paper is being transmitted by facsimile to the United States Patent and Trademark Office on the date shown below.


Mark A. Litman

1 NOVEMBER 2005

Date